

Appl. No. 10/526,413
Reply to non-final Office action of March 27, 2007
Attorney Docket K-1920PCUS

REMARKS

Claims 1-4 and 6-19 are pending in the application. By this Amendment, Claims 1, 9, 11 and 15-17 are amended, and Claim 5 is canceled with prejudice or disclaimer of the subject matter contained therein. Favorable reconsideration is respectfully requested in light of the following Remarks.

The Office action rejects Claims 1-19 under 35 U.S.C. 102(b) over Date et al. (U.S. Patent No. 5,713,253, hereinafter "Date"). The rejection is respectfully traversed.

Independent Claims 1, 9, 11 and 15-17 specify, *inter alia*, a machine tool and method in which the lead angle of a cutting tool is used to anticipate interference between the cutting tool and the workpiece. Support for this feature can be found, for example, in Paragraphs [0005] and [0030] of the specification.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *See MPEP §2131*.

It is respectfully submitted that at least the feature of a machine tool in which the lead angle of a cutting tool is used to anticipate interference between the cutting tool and the workpiece as recited in Claims 1, 9, 11 and 15-17, is not disclosed, taught or suggested in Date, so the rejection is unsupported by the art and should be withdrawn.

It is also respectfully submitted that the Date reference does not teach or fairly suggest specifically using a lead angle of a cutting tool to anticipate interference with a workpiece in a machining operation as recited in Claims 1, 9, 11 and 15-17.

For at least this reason, Claims 1, 9, 11 and 15-17 are allowable over the applied art. Claims 2-4 and 6-8, which depend from Claim 1, Claim 10, which depends from Claim 9, Claims 12-14, which depend from Claim 15, and Claims 18 and 19, which depend from Claim 17, are likewise allowable over the applied art. Withdrawal of the rejection is respectfully requested.

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Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

Should Examiner Ross believe anything further would be desirable in order to place the application in better condition for allowance; the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 50-2867 in the name of Kennametal, Inc.

Respectfully submitted,

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By /Peter J. Rashid/
Peter J. Rashid
Registration No.: 39,464

5111 Mountain Road
Brighton, Michigan 48116
(810) 227-9077
Attorney for Applicant